

**BEFORE THE
OIL & GAS BOARD OF REVIEW**

KELLY H. BOALS,

Appellant,

-vs-

DONALD L. MASON, CHIEF,
DIVISION OF OIL & GAS,

Appellee.

Appeal No. 550

Review of Chief's Order 93-303

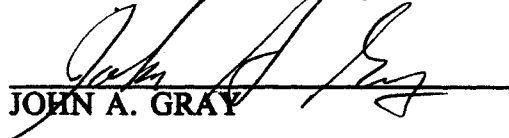
**ORDER OF THE BOARD
GRANTING JOINT MOTION
FOR CONSENT DECISION**


The Oil & Gas Board of Review has received and reviewed the parties' Joint Motion for Consent Decision and finds it well taken. Accordingly, the Board hereby **ADOPTS** the Consent Decision. There being no issue of law or fact that needs to be heard, the Board hereby **DISMISSES** appeal no. 550, with prejudice.

Date Issued:

5/23/96


BENITA KAHN, Secretary


JOHN A. GRAY


WILLIAM J. TAYLOR, Chairman


JAMES H. CAMERON


GAIL IGNATZ-HOOVER

DISTRIBUTION:

Kelly Boals
Michael Boals
Randall H. Peddicord
Sandra Ramos

BEFORE THE OIL AND GAS BOARD OF REVIEW
DEPARTMENT OF NATURAL RESOURCES
STATE OF OHIO

KELLY H. BOALS

Appellant

v.

RICHARD J. SIMMERS,
Acting Chief
Division of Oil and Gas

Appellee

APPEAL NO. 550

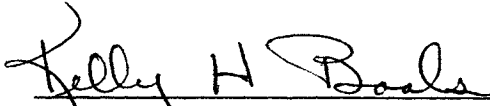
REVIEW OF CHIEF'S ORDER
NO. 93-303

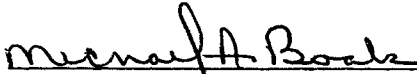
JOINT MOTION FOR CONSENT DECISION

Now come the parties, Appellant Kelly H. Boals and Appellee Richard J. Simmers, Acting Chief of the Division of Oil and Gas, and interested party Michael A. Boals, who, in order to settle the above captioned administrative proceeding, respectfully request this Board to adopt the attached Consent Decision and dismiss the instant appeal with prejudice.

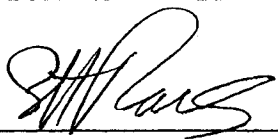
Respectfully submitted,

ATTORNEY GENERAL OF OHIO


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MICHAEL A. BOALS
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By:


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Counsel for Appellee

BEFORE THE OIL AND GAS BOARD OF REVIEW
DEPARTMENT OF NATURAL RESOURCES
STATE OF OHIO

KELLY H. BOALS)	
)	
Appellant)	
)	
v.)	APPEAL NO. 550
)	
RICHARD J. SIMMERS,)	REVIEW OF CHIEF'S ORDER
Acting Chief)	NO. 93-303
Division of Oil and Gas)	
)	
Appellee)	

CONSENT DECISION

Prior to hearing on these appeals, the parties have reached an agreement based upon the following facts:

1. Prior to November 14, 1994 Kelly H. Boals was the "owner" as that term is defined in R.C. 1509.01(K) of the following oil and gas wells:

<u>WELL</u>	<u>TOWNSHIP</u>	<u>COUNTY</u>	<u>PERMIT NO.</u>
Frase No. 6A	White Eyes	Coshocton	1354
Frase No. 7A	White Eyes	Coshocton	1355
Frase No. 2A	White Eyes	Coshocton	1185
Frase No. 3A	White Eyes	Coshocton	1186
Frase No. 4A	White Eyes	Coshocton	1352
Frase No. 1A	White Eyes	Coshocton	1173

2. Chief's Order 93-303 was issued by the Chief of the Division of Oil and Gas to Kelly H. Boals on December 29, 1993 ordering the wells listed in paragraph 1 above to be properly plugged and abandoned due to their being incapable of producing oil and gas in commercial quantities.

3. Kelly H. Boals filed a timely appeal of Chief's Order No. 93-303 pursuant to R.C. 1509.36 and the appeal was docketed as Appeal No. 550.

4. On or about November 14, 1994 Kelly H. Boals assigned his right, title and interest in the wells listed in paragraph one above to Michael A. Boals.

5. Michael A. Boals intends to either produce or properly plug and abandon the subject wells and is not registered and bonded pursuant to R.C. 1509.07.

NOW THEREFORE, based upon the above facts and in order to settle the above captioned appeal, the signatories to this Consent Decision hereby agree as follows:

A. Both Kelly H. Boals and Michael A. Boals consent to the entry of this Consent Decision and waive any objection or further right to appeal either may have with respect to this appeal for the purpose of settling the claims alleged in the appeal.

B. The provisions of this Consent Decision shall apply to and be binding upon the signatories hereto, their agents, assignees, heirs, and successors in interest.

C. Michael A. Boals shall either produce or properly plug and abandon the six wells listed in paragraph one of this Consent Decision on or before **December 6, 1995**. In either event all work at the wellsites shall be done in an orderly and workmanlike manner and in accordance with the requirements of R.C. Chapter 1509 and Ohio Admin. Code Chapter 1501:9. An extension of the deadline herein imposed may be granted by the Chief in writing for good cause shown.


D. Immediately upon execution of this Consent Decision Michael A. Boals shall submit to the Division a Request for Change of Owner Form 7 listing all wells listed in paragraph one above and an Authority & Organization Form 9.

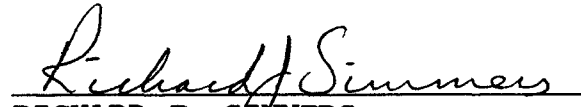
E. Prior to placing one or more of the subject wells into production, Michael A. Boals shall comply with all appropriate bonding and liability insurance requirements as set forth in R.C. 1509.07 and Ohio Admin. Code 1501:9-1-03.

F. Nothing in this CONSENT DECISION shall be construed so as to prejudice the right of the Division of Oil and Gas to issue other decisions and orders to enforce the provisions of Revised Code Chapter 1509 and Chapter 1501 of the Ohio Admin. Code. In the event of any default of the terms of this Consent Decision, the Division may elect any and all remedies it deems appropriate.

G. Appeal No. 550 is dismissed with prejudice.

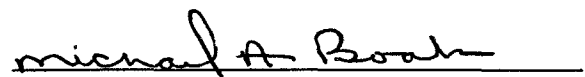
H. The signatories hereto state that they have read this CONSENT DECISION, understand its terms, have the ability to comply with its terms, and agree to comply fully.


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West Lafayette, OH 43845-9635



RICHARD J. SUMMERS,
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APPROVED:

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